

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-1497

Alistair Jude Oduah,

Petitioner,

v.

John Ashcroft, Attorney General,

Respondent.

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* Petition for Review of a
* Decision of the Board of
* Immigration Appeals.
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* [UNPUBLISHED]
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Submitted: March 5, 2004

Filed: March 25, 2004

Before MELLOY, HANSEN, and COLLOTON, Circuit Judges.

PER CURIAM.

Alistair Oduah, a citizen of Nigeria, petitions for review of an order of the Board of Immigration Appeals affirming an Immigration Judge's (IJ's) denial of his application for asylum, withholding of removal, and relief under the Convention Against Torture. After careful review of the record, we deny the petition because substantial evidence on the record as a whole supports the IJ's conclusions. See Menedez-Donis v. Ashcroft, 02-3692, 2004 WL 307451, at *3 (8th Cir. Feb. 19, 2004) (standard of review). The IJ concluded that Oduah was not entitled to asylum: he had been subjected to discrimination and harassment, but not persecution, on account of his religion, see Fisher v. INS, 291 F.3d 491, 497 (8th Cir. 2002) (slurs

and harassment from private individuals do not constitute persecution); and it was reasonable for him to relocate to the southern part of Nigeria to avoid future conflicts, see 8 C.F.R. § 208.13(b)(1)(i)(B).

As Oduah did not establish a clear probability of persecution or a likelihood of torture upon his return to Nigeria, his claims for withholding of removal and relief under the Convention Against Torture also failed. See Francois v. INS, 283 F.3d 926, 932-33 (8th Cir. 2002) (withholding standard is more onerous than asylum standard); 8 C.F.R. § 208.16(c)(2) (burden is on applicant to show likelihood of torture upon removal to proposed country).

Accordingly, we deny the petition.
